

AUG 15 2003

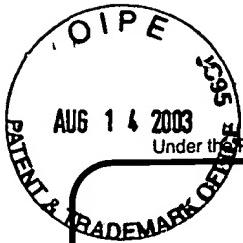
RCE/13729
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PTO/SB/30 (05-03)

Approved for use through 4/30/2003 OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	09/843,560
Filing Date	April 26, 2001
First Named Inventor	David L. Mallis
Art Unit	3729
Examiner Name	A. Tugbang
Attorney Docket Number	09432/168002

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 CFR 1.114

Note: If the RCE is proper, any previously filed unentered and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such

- a. Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

- i. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
ii. Other _____

b. Enclosed

- i. Amendment/Reply ii. Affidavit(s)/Declaration(s) iii. Information Disclosure Statement (IDS) iv. Other _____

2. Miscellaneous

- a. Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
b. Other _____

3. Fees The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to

Deposit Account No. 50-0591

- i. RCE fee required under 37 CFR 1.17(e) 08/18/2003 HBIZUNES 00000020 09843560
ii. Extension of time fee (37 CFR 1.136 and 1.17) 01 FC:1801
iii. Other 750.00 CP

- b. Check in the amount of \$ 750.00 enclosed
c. Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print / Type)	Jonathan P. Osha	Registration No. (Attorney / Agent)	33,986
Signature	#45,079	Date	8/14/03

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print / Type)		Date	
Signature			

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PATENT
ATTORNEY DOCKET NO.: 09432/168002
U.S. PATENT APPLICATION SERIAL NO.: 09/843,560

#11/Sys

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : David L. Mallis
Serial No.: 09/843,560 ✓
Filed : April 26, 2001
Title : TUBULAR JOINT WEAR INDICATOR

Art Unit : 3729
Examiner : A. Tugbang

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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TECHNOLOGY CENTER R3700

SUBMISSION WITH REQUEST FOR CONTINUED EXAMINATION UNDER

37 C.F.R. § 1.114

Dear Sir:

In response to the final Office Action mailed on May 14, 2003, please reconsider the application in view of the following amendments and the included remarks.

AMENDMENTS

The following amendments are made under the provisions of 37 C.F.R. § 1.121.

22511
PATENT TRADEMARK OFFICE